

1 Steven L. Weinstein
steveattorney@comcast.net
2 P.O. Box 27414
Oakland, CA 94602
3 Tel: (510) 336-2181

4 Patrick H. Peluso
ppeluso@woodrowpeluso.com*
5 Taylor T. Smith
tsmith@woodrowpeluso.com*
6 **WOODROW & PELUSO, LLC**
3900 East Mexico Ave., Suite 300
7 Denver, Colorado 80210
Telephone: (720) 213-0675
8 Facsimile: (303) 927-0809

9 **Pro Hac Vice*

10 *Attorneys for Plaintiff and the Classes*

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
OAKLAND DIVISION

13 **ABANTE ROOTER AND PLUMBING,**
14 **INC.**, individually and on behalf of all others
15 similarly situated,

16 Plaintiff,

17 v.

18 **UNLOCKED BUSINESS STRATEGIES,**
19 **INC.** a New York corporation, **THOMAS R.**
20 **COSTA**, an individual, and **MERCHANT**
INDUSTRY, LLC d/b/a SWIPE4FREE, a
New York limited liability company,

21 Defendants.

Case No. 4:19-cv-07966-JST

NOTICE OF SETTLEMENT

Judge: Hon. Jon S. Tigar

22 Plaintiff Abante Rooter and Plumbing, Inc. ("Plaintiff" or "Abante") hereby provides
23 notice that the Plaintiff and Merchant Industry, LLC d/b/a Swipe4Free ("Defendant" or
24 "Merchant Industry") have reached a settlement in this case and states as follows:

- 25 1. Plaintiff filed the instant case alleging violations of the Telephone Consumer
26 Protection Act, 47 U.S.C. § 227, *et seq.* ("TCPA"). (See Dkt. 1.)
27
28

1 2. Plaintiff and Merchant Industry have engaged in settlement discussions and have
2 reached an agreement to resolve Plaintiff's claims asserted against Merchant
3 Industry.

4 3. Plaintiff's claims against Defendants Unlocked Business Strategies, Inc. and Thomas
5 R. Costa shall remain.

6 Plaintiff and Merchant Industry are presently working to finalize a settlement agreement and
7 believe a Stipulation of Dismissal will be filed within thirty (30) days.
8

9 Date: March 10, 2021

ABANTE ROOTER AND PLUMBING, INC.,
individually and on behalf of all others similarly
situated,

12 By: /s/ Taylor T. Smith
One of Plaintiff's Attorneys

13 Steven L. Weinstein
14 steveattorney@comcast.net
15 P.O. Box 27414
16 Oakland, CA 94602
Tel: (510) 336-2181

17 Patrick H. Peluso
18 ppeluso@woodrowpeluso.com*
19 Taylor T. Smith
tsmith@woodrowpeluso.com*
20 Woodrow & Peluso, LLC
3900 East Mexico Ave., Suite 300
21 Denver, Colorado 80210
Telephone: (720) 213-0675
22 Facsimile: (303) 927-0809

23 *Attorneys for Plaintiff and the Class*
24
25
26
27
28

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above titled document was served upon counsel of record by filing such papers via the Court's ECF system on March 10, 2021.

/s/ Taylor T. Smith